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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,633	01/30/2001	Jae-sik Hwang	Q62025	1330

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EXAMINER

USTARIS, JOSEPH G

ART UNIT PAPER NUMBER

2616

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,633

Applicant(s)

HWANG ET AL.

Examiner

Joseph G. Ustaris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☒ Claim(s) 6-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment dated 13 December 2004 in application 09/771,633.

The objection to the drawing is now withdrawn in view of the amendments.

Claim Objections

2. Claim 6 is objected to because of the following informalities: claim 6 line 3 recites "storage unit with stores non-video". The examiner recommends replacing "with" with --which--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. (US006543053B1) in view of Belanger (US 20020059402A1) and Eerola (US 20030203732A1).

Regarding claim 1, Li et al. (Li) discloses a VOD system that uses wireless communication networks or "VOD services in a wireless network environment" (See Fig. 2; column 7 lines 32-40). The system includes a subscriber terminal unit or "VOD

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terminal" (See Fig. 2 element 120) that "displays video information" (See column 2 lines 20-31), an access node or "wireless telecommunication server" that inherently "provides a service menu for selection by the VOD terminal" via wireless communication networks in order to successfully receive a selection of service from the user (See Fig. 4; column 2 lines 20-31 and column 8 lines 25-31), and a "VOD server which provides service information related to a VOD item selected by the VOD terminal from the service menu provided by the wireless telecommunications server" (See Fig. 4; column 8 lines 25-37). However, Li does not disclose an (1) "encoder which encodes a first type content input into the VOD server, into a first format type to be stored in the VOD server", (2) a "converter which converts a second type of content input into the VOD server, into a second format type to be stored in the VOD server", and (3) "wherein at least a portion of the first content type or the second content type is converted using wireless markup language".

Li does disclose stored video or "first content type" as well as providing various other contents or "second content type" (See column 13 lines 33-37).

(1) Official Notice is taken that it is well known to use encoders to encode "content" for storage. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system disclosed by Li to include an encoder to encode video or "first content type", that is inherently inputted "into the VOD server", into "a first format type to be stored in the VOD server" in order to provide a more secure means of storing video within the VOD system.

(2) Belanger discloses a system that provides contents to various users upon request or demand (See Fig. 1 and 5). The users can request various content (e.g. web sites) or "second content type" from a server. The server receives a home page and converts the home page into a data file and stores it in memory or "converter which converts a second type of content input into the VOD server, into a second format type to be stored in the VOD server" (See paragraph 0032). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system disclosed by Li to include a converter to "convert a second type of content input into the VOD server, into a second format type to be stored in the VOD server" in order to provide a more secure and efficient means of storing data within the VOD system.

(3) Eerola discloses a system that provides content on demand to various mobile stations (See Fig. 2). The mobile stations can request various content (e.g. web sites) from the origin server via a mobile station (See Fig. 2). Content data stored within the origin server is converted into wireless markup language (WML) or "second content type is converted using wireless markup language" (See paragraph 0020). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system disclosed by Li to convert the various "second content type" into wireless markup language, as taught by Eerola, in order to expand the capabilities of the system thereby increasing the number of devices that can utilize the system and to provide a more efficient means of transporting data within the wireless system.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. (US006543053B1) in view of Belanger (US 20020059402A1) and Eerola (US 20030203732A1) as applied to claim 1 above, and further in view of Haugli et al. (US005991279A).

Regarding claim 2, Li in view of Belanger and Eerola discloses a local/remote server or “first storage unit” that stores “VOD information” that is inherently inputted from “outside the VOD server or through the network connection” (See Fig. 2 elements 102 and 107). Furthermore, the access node also serves the function as the “common gateway interface” that “converts VOD information into information for wireless telecommunications” in order to successfully deliver data down to the user via wireless communication network (See Li column 7 lines 33-40). However, Li in view of Belanger and Eerola does not disclose a “second storage unit which stores wireless telecommunications information output from the common gateway interface”.

Haugli et al. (Haugli) discloses a wireless packet data distributed communications system that transmits data on-demand. The system utilizes a data converter that converts the data into a format suitable for satellite transmission or “into information for wireless telecommunications” (See Fig. 7 element 401; column 16 lines 22-30). Furthermore, the converted data is then stored in a buffer or “stores wireless telecommunications information output from the common gateway interface” (See Fig. 7 element 402). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system disclosed by Li in view of

Belanger and Eerola to include a buffer or "a second storage unit which stores wireless telecommunications information output from the common gateway interface", as taught by Haugli, in order to provide a more efficient means of transporting data through the wireless network thereby reducing the response time to a user's request.

Regarding claim 3, the "VOD server" comprises "a plurality of servers" (See Fig. 2 elements 102 and 107), where inherently any "content" inputted would pass through either the "encoder and the converter" as discussed in claim 1 above. Furthermore, inherently "VOD information providers" can access the VOD server in order to provide the latest movie selections for the users.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. (US006543053B1) in view of Eerola (US 20030203732A1).

Regarding claim 4, Li et al. (Li) discloses a VOD system that is implemented within a wireless communications network or "VOD services in a wireless network environment" (See Fig. 2; column 7 lines 32-40). The system includes a subscriber terminal unit or "VOD terminal" (See Fig. 2 element 120) and local/remote servers or "VOD server for providing video and voice services to the VOD terminal" (See Fig. 1 element 102 and 107). The system inherently allows the user to "select in the VOD terminal a VOD service from a VOD service menu" in order to successfully receive a selection of service from the user (See Fig. 4; column 2 lines 20-31 and column 8 lines 25-31). The system provides the "VOD service" to the user or "receives the selected VOD service in the VOD terminal" (See Fig. 4; column 8 lines 25-37), wherein the "VOD

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service" is in MPEG format or "video content converted into files for wireless telecommunications" (See column 2 lines 45-50). However, Li does not disclose providing a "VOD service" that provides "non-video content converted using wireless markup language".

Li does disclose that the VOD system can provide various content or "non-video content" (See column 13 lines 33-37). Eerola discloses a system that provides content on demand to various mobile stations (See Fig. 2). The mobile stations can request various content (e.g. web sites) from the origin server via a mobile station (See Fig. 2). Content data stored within the origin server is converted into wireless markup language (WML) or "non-video content converted using wireless markup language" (See paragraph 0020). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the system disclosed by Li to convert the various "non-video content" into wireless markup language, as taught by Eerola, in order to expand the capabilities of the system thereby increasing the number of devices that can utilize the system and to provide a more efficient means of transporting data within the wireless system.

Regarding claim 5, "the VOD terminal sends a stop command, the VOD server stops providing the VOD service" (See Li column 8 lines 57-64).

Allowable Subject Matter

4. Claims 6-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 6-9, the prior art of record fails to show or fairly suggest a storage unit that stores wireless markup language files.

Response to Arguments

5. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph G. Ustaris whose telephone number is 571-272-7383. The examiner can normally be reached on M-F 7:30-5PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JGU
May 24, 2005



VIVEK SRIVASTAVA
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